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BOND, SCHOENECK & KING, PLLC				
ONE LINCOLN CENTER				
SYRACUSE, NY 13202-1355				
EXAMINER				
FACTOL, NICHOLAS C				
ART UNIT		PAPER NUMBER		
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

bskpto@bsk.com
gmcmguire@bsk.com
dnocilly@bsk.com

Office Action Summary

Application No.

10/784,023

Applicant(s)

CAMPBELL ET AL.

Examiner

Nicholas C. Pachol

Art Unit

2625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 December 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SE/US)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Response to Arguments

1. Applicant's arguments, see pages 6-8, filed 12/12/08, with respect to the rejection(s) of claim(s) 1-12 under 102(b) and 103(a) have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Hiraishi (US 7,016,071).

Claim Objections

2. Claim 8 is objected to because of the following informalities: There are two bullets labeled (ii). Examiner notes that in the arguments filed on 12/12/08 on page 6 that claim 8 has been amended to correct this objection. However, on the newly filled claims, claim 8 remains unamended, therefore the objection still stands. Appropriate correction is required.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1, 6, and 7 are rejected under 35 U.S.C. 102(b) as being anticipated by Hiraishi (US 7,016,071).

Regarding Claim 1, Hiraishi teaches a method of suspending the printing of a special effect on the output media of a computer output device adapted to receive an input byte stream (Column 1, lines 8-13 and Column 20, lines 54-59), said method comprising the steps of:

(a) identifying a triggering byte string to act as a trigger for indicating the suspension of printing of said special effect on said output media (Column 20, lines 54-59, wherein the trigger byte string is the flag);

(b) determining whether said input byte stream includes said triggering byte string (Column 20, lines 54-59, wherein the trigger byte string is the flag); and

(c) suspending the printing of said special effect in response to determining said triggering byte string is in said input byte stream (Column 20, lines 59-66).

Regarding Claim 6, Hiraishi further teaches (d) saving said triggering byte string in memory (Column 2, lines 3-12);

(e) associating said triggering byte string with a printing function (Column 2, lines 3-12, wherein the printing function is printing);

(f) delaying for a fixed number of bytes the normal processing of said input byte stream (Column 9, lines 37-53);

(g) executing said printing function associated with said triggering byte string after determining said triggering byte string is in said input byte stream (Column 20, lines 59-66); and

(h) optionally removing said triggering byte string from said input byte stream (Column 13, lines 5-20, wherein by updating the dictionary the flag can be reset); and

(i) restoring normal processing of said input byte stream (Column 13, lines 5-20, wherein by updating the dictionary the normal process of the image would be carried out if the flag is reset).

Regarding Claim 7, Hiraishi teaches a method of suspending the printing of a special effect on the output media of a computer output device adapted to receive an input byte stream (Column 1, lines 8-13 and Column 20, lines 54-59), said method comprising the steps of:

(a) identifying a triggering byte string to act as a trigger for indicating the suspension of printing of said special effect on said output media (Column 20, lines 54-59, wherein the trigger byte string is the flag);

(b) determining whether said input byte stream includes said triggering byte string (Column 20, lines 54-59, wherein the trigger byte string is the flag); and

(c) suspending the printing of said special effect for a predetermined number of printer operations in response to determining said triggering byte string is in said input byte stream (Column 20, lines 59-66).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 2, 3, 5, 8-10, and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hiraishi (US 7,016,071) in view of Fry (US 6,415,341).

Regarding Claim 2, Hiraishi does not teach wherein said computer output device comprises a point-of-sale printer.

Fry does teach wherein said computer output device comprises a point-of-sale printer (Column 2, lines 54-58).

Hiraishi and Fry are combinable because they both deal with communicating with a printer.

Therefore it would be obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Hiraishi with the teachings of Fry to provide a versatile and robust interface device operable to provide compatibility with a POS component (Fry: Column 2, lines 21-25).

Regarding Claim 3, Hiraishi does not teach wherein said output media comprises a receipt.

Fry does teach wherein said output media comprises a receipt (Column 7, lines 38-40).

Hiraishi and Fry are combinable because they both deal with communicating with a printer.

Therefore it would of been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Hiraishi with the teachings of Fry to provide a versatile and robust interface device operable to provide compatibility with a POS component (Fry: Column 2, lines 21-25).

Regarding Claim 5, Hiraishi does not teach wherein said special effect is a top logo, a watermark, a ribbon logo, or a bottom logo.

Fry does teach wherein said special effect is a top logo, a watermark, a ribbon logo, or a bottom logo (Column 24, lines 28-35).

Hiraishi and Fry are combinable because they both deal with communicating with a printer.

Therefore it would of been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Hiraishi with the teachings of Fry to provide a versatile and robust interface device operable to provide compatibility with a POS component (Fry: Column 2, lines 21-25).

Regarding Claim 8, Hiraishi further teaches the step of identifying a triggering byte string to act as a trigger comprises the steps of: (ii) storing said triggering byte string in non-volatile storage (Column 2, lines 3-12);

(iii) ordering said fixed number of byte strings into fast response memory for execution of a match/does not match comparison to said input byte stream (Column 10, lines 4-13, wherein since the recognition process needs to be preformed quickly, it is understood that the flags are stored in a fast response memory in order to perform the compression quickly without slowing down the processing of the printer).

Hiraishi does not teach (i) defining a triggering byte string of less than or equal to maximum allowable length;

(ii) managing said non-volatile storage to hold a fixed number of byte strings.

Fry teaches (i) defining a triggering byte string of less than or equal to maximum allowable length (Column 19, lines 60-64);

(ii) managing said non-volatile storage to hold a fixed number of byte strings (Column 19, lines 60-64).

Hiraishi and Fry are combinable because they both deal with communicating with a printer.

Therefore it would be obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Hiraishi with the teachings of Fry to provide a versatile and robust interface device operable to provide compatibility with a POS component (Fry: Column 2, lines 21-25).

Regarding Claim 9, Hiraishi does not teach wherein said computer output device comprises a point-of-sale printer

Fry does teach wherein said computer output device comprises a point-of-sale printer (Column 2, lines 54-58).

Hiraishi and Fry are combinable because they both deal with communicating with a printer.

Therefore it would be obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Hiraishi with the teachings of Fry to provide a versatile and robust interface device operable to provide compatibility with a POS component (Fry: Column 2, lines 21-25).

Regarding Claim 10, Hiraishi does not teach wherein said output media comprises a receipt.

Fry does teach wherein said output media comprises a receipt (Column 7, lines 38-40).

Hiraishi and Fry are combinable because they both deal with communicating with a printer.

Therefore it would be obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Hiraishi with the teachings of Fry to provide a versatile and robust interface device operable to provide compatibility with a POS component (Fry: Column 2, lines 21-25).

Regarding Claim 12, Hiraishi does not teach wherein said special effect is a top logo, a watermark, a ribbon logo, or a bottom logo.

Fry does teach wherein said special effect is a top logo, a watermark, a ribbon logo, or a bottom logo (Column 25, lines 28-35).

Hiraishi and Fry are combinable because they both deal with communicating with a printer.

Therefore it would of been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Hiraishi with the teachings of Fry to provide a versatile and robust interface device operable to provide compatibility with a POS component (Fry: Column 2, lines 21-25).

7. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hiraishi (US 7,016,071) in view of Korst (EP 1,253,511).

Regarding Claim 4, Hiraishi does not teach wherein said triggering byte string is a legacy text string.

Korst does teach wherein said triggering byte string is a legacy text string (Column 8, paragraph 66, wherein by triggering byte string must be a legacy text string if it is used in a legacy printer for the printer to understand the inputs).

Hiraishi and Korst are combinable because they both deal with communicating with a printer.

Therefore it would of been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Hiraishi with the teachings of Korst for the purposes of properly communicating with a legacy device (Korst: Column 8, paragraph 66).

8. Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hiraishi (US 7,016,071) in view of Fry (US 6,415,341) further in view of Korst (EP 1,253,511).

Regarding Claim 11, Hiraishi in view of Fry does not teach wherein said triggering byte string is a legacy text string.

Korst does teach wherein said triggering byte string is a legacy text string (Column 8, paragraph 66, wherein by triggering byte string must be a legacy text string if it is used in a legacy printer for the printer to understand the inputs).

Hiraishi in view of Fry and Korst are combinable because they both deal with communicating with a printer.

Therefore it would of been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Hiraishi in view of Fry with the teachings of Korst for the purposes of properly communicating with a legacy device (Korst: Column 8, paragraph 66).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nicholas C. Pachol whose telephone number is 571-270-3433. The examiner can normally be reached on M-Thr, 8:00 a.m.- 4:00 p.m. (EST), Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Twyler L. Haskins can be reached on 571-272-7406. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

N.P.
03/12/09

/Twyler L. Haskins/
Supervisory Patent Examiner, Art Unit 2625